

## § 15.65

(c) The NRC may refer a claim to the GAO or the DOJ even though the termination of collection activity might otherwise be given consideration under § 15.55(a) or (c) if:

(1) A significant enforcement policy is involved in reducing a statutory penalty or forfeiture to judgment; or

(2) Recovery of a judgment is a prerequisite to the imposition of administrative sanctions, such as suspension or revocation of a license or the privilege of participating in a Government sponsored program.

(d) Once a claim has been referred to GAO or to DOJ under this subpart, the NRC shall refrain from having any contact with the debtor and shall direct the debtor to GAO or DOJ, as appropriate, when questions concerning the claim are raised by the debtor. The NRC shall immediately advise GAO or DOJ, as appropriate, of any payments by the debtor.

[47 FR 7616, Feb. 22, 1982, as amended at 55 FR 32380, Aug. 9, 1990]

### § 15.65 Referral of a compromise offer.

The NRC may refer a debtor's firm written offer of compromise which is substantial in amount to the GAO or to the DOJ if the NRC is uncertain whether the offer should be accepted.

### § 15.67 Referral to the Department of Justice.

(a) Claims for which the gross original amount is over \$100,000 must be referred to the Commercial Litigation Branch, Civil Division, Department of Justice, Washington, DC 20530. Claims for which the gross original amount is \$100,000 or less must be referred to the United States Attorney in whose district the debtor can be found.

(b) A claim of less than \$600, exclusive of interest, is not referred for litigation unless:

(1) Referral is important to a significant enforcement policy; or

(2) The debtor not only has the clear ability to pay the claim but the Government can effectively enforce payment.

(c) A claim on which the NRC holds a judgment is referred to the DOJ for further action if renewal of the judgment lien or enforced collection pro-

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ceedings are justified under the criteria discussed in this part.

(d) Claims must be referred to the Department of Justice in the manner prescribed by 4 CFR 105.2. Care must be taken to preserve all files, records, and exhibits on claims referred under paragraphs (a) and (b) of this section.

[47 FR 7616, Feb. 22, 1982, as amended at 55 FR 32381, Aug. 9, 1990]

## PART 16—SALARY OFFSET PROCEDURES FOR COLLECTING DEBTS OWED BY FEDERAL EMPLOYEES TO THE FEDERAL GOVERNMENT

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AUTHORITY: Sec. 161, 68 Stat. 948, as amended (42 U.S.C. 2201), sec. 201, 88 Stat. 1242, as amended (42 U.S.C. 5841); sec. 3, Pub. L. 89-508, 80 Stat. 308, as amended (31 U.S.C. 3711, 3717, 3718); sec. 5, Pub. L. 89-508, 80 Stat. 308, as amended (31 U.S.C. 3716), Debt Collection Act of 1982, Pub. L. 97-365, 96 Stat. 1749-1758; Federal Claims Collection Standards, 4 CFR parts 101-105; 5 U.S.C. 5514, as amended; 5 CFR 550.1101-550.1108.

SOURCE: 56 FR 51830, Oct. 16, 1991, unless otherwise noted.

### § 16.1 Purpose and scope.

(a) This part provides procedures for the collection by administrative offset of a Federal employee's salary without his/her consent to satisfy certain debts owed to the Federal Government. This part applies to all Federal employees who owe debts to the Nuclear Regulatory Commission (NRC) and to current employees of the NRC who owe debts to other Federal agencies. This part does not apply when the employee consents to recovery from his/her current pay account.

(b) These procedures do not apply to debts or claims arising under: